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DALY, CROWLEY & MOFFORD, LLP SUITE 101 275 TURNPIKE STREET CANTON, MA 02021-2310			WOZNIAK, JAMES S	
			ART UNIT	PAPER NUMBER
			2655	

DATE MAILED: 01/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/744,278

Applicant(s)

PRINGLE, LEWIS G.

Examiner

James S. Wozniak

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 07 October 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-62 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 22 January 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date: _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date: _____	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Response to Amendment

1. In response to the office action from 7/9/2004, the applicant has submitted an amendment, filed 10/7/2004, amending the claims to include natural language translation and correct minor informalities, while arguing to traverse the art rejection based on the amended limitation regarding natural language translation (Amendment, Page 14). Applicant's arguments have been fully considered, but are moot in view of the new grounds of rejection in view of Clawson (U.S. Patent: 6,112,304) necessitated by the claim amendments.

2. Based on the amendments to the claims, the examiner has withdrawn the previous objections directed towards minor informalities and the 35 USC § 112 rejection directed towards a lack of antecedent basis.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. **Claims 1, 5-13, 15, 17, 24, 33, 38, 41, 44, 47, 50-53, and 58-60** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroya et al (*U.S. Patent: 5,751,957*) in view of Clawson (*U.S. Patent: 6,112,304*).

With respect to **Claim 1**, Hiroya discloses:

A client for sending a translation request (*client access of a server to implement a language translation, Col. 7, Line 63- Col. 8, Line 31*), the translation request comprising text to be translated (*text translation, Figs. 3 and 4*), the client also for receiving a response to the request corresponding to a translation of the text from a first natural language to a second natural language (*Col. 7, Line 63- Col. 8, Line 31 and Figs. 3 and 4*); and

A translation engine for receiving the translation request and for generating the response and sending the response to the client (*translation processing unit, Fig. 1, Element 14, for producing a translation and transmitting it to a client via a communication processing unit, Fig. 1, Element 11*).

Hiroya does not teach that the translation is requested, transmitted, and received using distributed object protocol, however, Clawson recites a means of implementing a natural language translation over a network using distributed object protocol (*ODE, Col. 21, Line 16-Col. 23, Line 65, Col. 24, Line 61, and Fig 10*).

Hiroya and Clawson are analogous art because they are from a similar field of endeavor in network-based natural language translation. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Hiroya with the use of an distributed object protocol in a network-based natural language translation application as taught by Clawson to implement more efficient translation processing through a distributed

computing architecture that allows multiple translation processes to move between various platforms in different locations (*Clawson, Col. 27, Lines 20-31*).

With respect to **Claim 5**, Hiroya shows:

The client and the translation engine are located on the same computer (*Fig 1, Element 24*).

With respect to **Claim 6**, Hiroya shows:

The client and translation engine are located on different computers in communication with each other (*Fig. 1, Element 14*).

With respect to **Claims 7 and 8**, Clawson recites the use of wide and local area networks in a natural language translation system utilizing distributed object protocol (*Col. 6, Lines 35-49*).

With respect to **Claim 9**, Clawson recites the use of the World Wide Web in a natural language translation system utilizing distributed object protocol (*Col. 6, Lines 35-49*).

With respect to **Claim 10**, Clawson discloses:

The text to be translated is represented by a character set that includes characters used in a plurality of languages (*Col. 21, Lines 35-54*).

With respect to **Claim 11**, Clawson discloses:

The text to be translated is represented by Unicode (*Col. 21, Lines 35-54*).

With respect to **Claim 12**, Hiroya further discloses:

The translation request further comprises a translation guideline (*translation rules, Col. 7, Lines 22-37*).

With respect to **Claim 13**, Hiroya additionally recites:

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A notification mechanism by which the translation engine can inform the client of at least one error that occurs during a translation (*error message, Col. 9, Line 55- Col. 10, Line 21*).

With respect to **Claim 15**, Hiroya shows:

The client further comprises a user interface having a translation service for accepting translation requests (*display used to present a translation interface to a user, Fig. 3, Element 51*).

With respect to **Claim 17**, Clawson discloses:

The distributed object protocol used by the client and translation engine supports the translation engine and a plurality of other translation engines (*Col. 22, Lines 29-35, and Fig. 10*).

With respect to **Claim 24**, Hiroya in view of Clawson teaches the network-based natural language translation system utilizing distributed object protocol, as applied to Claim 1. Hiroya in view of Clawson does not specifically suggest the use of a synchronous translator accessed using a script-enabled application, however, the examiner takes official notice that it is well known in the art to access a real-time translator using a script-enabled application as a means of translator initialization. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to access a real-time translator using a script-enabled application to provide a well-known means of translator initialization.

Claim 33 contains subject matter similar to Claim 1, and thus, is rejected for the same reasons.

With respect to **Claim 38**, Hiroya in view of Clawson teaches the network-based natural language translation system utilizing a distributed object protocol, as applied to Claim 33. Hiroya in view of Clawson does not specifically suggest scanning a translation request for a spelling error before translation; however, the examiner takes official notice that it is well known

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in the art to detect and correct spelling errors before any text based searching operation is performed in order to ensure searching accuracy. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to detect the presence of spelling errors for correction before translation in order to increase accuracy in searching for a second language equivalent of an input text.

Claim 41 contains subject matter similar to Claims 1 and 17, and thus is rejected for the same reasons.

Claim 44 contains subject matter similar to Claim 15, and thus is rejected for the same reasons.

With respect to **Claim 47**, Hiroya discloses:

The translation request comprises information relating to a desired format and the translation engine processes the request according to an associated preferences object (*request of a translation rule that is utilized by a server in a translation process, Col. 9, Lines 32-54*).

Claim 50 contains subject matter similar to Claim 5, and thus is rejected for the same reasons.

Claim 51 contains subject matter similar to Claim 6, and thus is rejected for the same reasons.

With respect to **Claim 52**, Hiroya in view of Clawson teaches the network-based natural language translation system utilizing distributed object protocol, as applied to Claim 41. Hiroya in view of Clawson does not specifically suggest the use of a proxy server for translation engine communication, however, the examiner takes official notice that it is well known in the art to use a proxy server in a service-related internet application so that only registered users can access the

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service. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to utilize a proxy server in a network-based translation system in order to allow only registered users to access a translation service.

Claim 53 contains subject matter similar to Claim 1, and thus is rejected for the same reasons. Also, Hiroya further discloses a plurality of clients as shown in Fig. 1.

Claim 58 contains subject matter similar to Claim 5, and thus is rejected for the same reasons.

Claim 59 contains subject matter similar to Claim 6, and thus is rejected for the same reasons.

Claim 60 contains subject matter similar to Claim 9, and thus is rejected for the same reasons.

5. **Claims 2-4, 14, 16, 18-23, 34-37, 40, 42-43, 45-46, 48, 54-57, and 61-62** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroya et al in view of Clawson, and further in view of Kleinman et al (*U.S. Patent: 5,724,503*).

With respect to **Claim 2**, Hiroya in view of Clawson teaches the network-based natural language translation system, as applied to Claim 1. Hiroya does not teach that a translation request and response is sent in accordance with an interface definition language, however Kleinman recites:

The translation request and response are sent in accordance with an interface definition language (IDL) (the translation requesting and providing means as applied to Claim 1, implemented using IDL, Col. 8, Line 26- Col. 9, Line 4).

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Hiroya, Clawson and Kleinman are analogous art because they are from a similar field of endeavor in text processing utilizing distributed computing. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Hiroya in view of Clawson with the use of IDL in sending a translation request and response as taught by Kleinman to provide a well-known means of defining a translation request/result object in a distributed object system.

With respect to **Claim 3**, Hiroya in view of Clawson, and further in view of Kleinman teaches the network-based natural language translation system, as applied to Claim 2. Hiroya in view of Clawson, and further in view of Kleinman does not specifically suggest that the distributed object protocol operates in accordance with the COM standard, however, the examiner takes official notice that the COM standard is well known in the art for use in distributed object systems. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to operate the distributed object protocol taught by Clawson according to the well known and commonly used COM standard in order to increase system compatibility. Furthermore Kleinman suggests the use of other distributed object standards (*Col. 6, Lines 36-45*).

With respect to **Claim 4**, Kleinman further recites

The distributed object protocol operates in accordance with the CORBA standard (*the distributed object protocol as applied to Claim 1 utilizing the CORBA standard, Col. 6, Lines 36-45*).

With respect to **Claim 14**, Hiroya in view of Clawson teaches the network-based natural language translation system capable of transmitting a message to a user upon a translation error,

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as applied to Claim 13. Hiroya in view of Clawson does not teach that the error callback interface is defined by an IDL, however, Kleinman recites:

The error callback interface is defined by an IDL (*error notification through IDL, Col. 8, Line 26- Col. 9, Line 21*).

Hiroya, Clawson and Kleinman are analogous art because they are from a similar field of endeavor in text processing utilizing distributed computing. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Hiroya in view of Clawson with the use of IDL in providing error notification as taught by Kleinman to provide a well-known means of defining a translation error object in a distributed object system.

With respect to **Claim 16**, Hiroya in view of Clawson teaches the user interface used in a network-based natural language translation system as applied to Claim 15. Hiroya in view of Clawson does not teach that the user interface and other interfaces are used by a distributed object protocol, however Kleinman discloses:

The distributed object protocol used by the client and translation engine supports the user interface and a plurality of other interfaces (*distributed object system utilizing multiple interfaces, Col. 8, Line 26- Col. 9, Line 21*).

Hiroya, Clawson and Kleinman are analogous art because they are from a similar field of endeavor in text processing utilizing distributed computing. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Hiroya in view of Clawson with the use of a distributed object protocol utilizing multiple user interfaces as taught by Kleinman to implement improved portability for multiple applications (*Col. 2, Lines 26-57*), such as multiple translation engines, within a network-based translation system.

With respect to **Claim 18**, Hiroya in view of Clawson teaches the network-based natural language translation system having multiple translation engines, as applied to Claim 17. Hiroya does not teach a registration mechanism that a translation system can use to register itself to be located by a user, however, Kleinman discloses the use of IDL in a translation system as applied to Claim 2, and further recites:

A registration mechanism that a translation system can use to register itself to be located by a user (*domain name, Col. 13, Line 53- Col. 15, Line 2*).

Hiroya, Clawson and Kleinman are analogous art because they are from a similar field of endeavor in text processing utilizing distributed computing. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Hiroya in view of Clawson with the use of a registration mechanism for indicating a desired translation engine as taught by Kleinman to allow a user to locate a particular translation engine as taught by Clawson by using registered domain names that may be associated with the various translation applications.

With respect to **Claim 19**, Kleinman further recites:

The registration mechanism includes information relating to at least one component available with the translation engine (*domain name, as applied to Claim 18, utilized by a foreign exception message file, Col. 14, Line 44- Col. 15, Line 2*).

With respect to **Claim 20**, Clawson additionally discloses an ODE location identifier and an ODE dictionary (*Col. 9, Lines 18-30, and Fig. 10*).

With respect to **Claim 21**, Hiroya further discloses:

The translation request comprises information relating to a desired format and the translation engine processes the request according to an associated preferences object (*request of a translation rule that is utilized by a server in a translation process, Col. 9, Lines 32-54*).

Furthermore, Kleinman teaches the use of IDL in sending a translation request and response as applied to Claim 2.

With respect to **Claim 22**, Hiroya teaches the translation rule request in a network-based translation system, as applied to Claim 21. Also, Hiroya discloses the ability of a user to input a desired translation rule (Col. 9, Lines 32-54), which is a functional equivalent of the preference editor of the present invention. Additionally, Clawson teaches the use of distributed object protocol in natural language translation, while Kleinman provides the teachings for IDL, as applied to Claim 2.

With respect to **Claim 23**, Hiroya in view of Clawson, and further in view of Kleinman teaches the network-based translation system utilizing distributed object protocol and IDL, as applied to Claim 2. Hiroya in view of Clawson, and further in view of Kleinman does not specifically suggest the use of a synchronous translator for providing an immediate translation response, however, the examiner takes official notice that real-time translators are well known and commonly used in the art for providing instant translation results to a user. Therefore, it would have been obvious to one of ordinary skill in the art, at the time of invention, to utilize a real-time translation device in a network-based translation system using distributed object protocol in order to provide instant translation results to a user.

Claim 34 contains subject matter similar to Claim 2, and thus, is rejected for the same reasons.

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Claim 35 contains subject matter similar to Claim 18, and thus, is rejected for the same reasons.

Claim 36 contains subject matter similar to Claim 21, and thus, is rejected for the same reasons.

With respect to **Claim 37**, Hiroya discloses:

The translation engine informs the client if it is unable to perform a translation in a desired format (*error message generated when a translation rule is unavailable, Col. 9, Line 55-Col. 10, Line 22*), while Kleinman teaches the use of an IDL as applied to Claim 2.

Claim 40 contains subject matter similar to Claims 2 and 13, and thus, is rejected for the same reasons.

Claim 42 contains subject matter similar to Claim 2, and thus is rejected for the same reasons.

Claim 43 contains subject matter similar to Claim 18, and thus is rejected for the same reasons.

Claim 45 contains subject matter similar to Claim 3, and thus is rejected for the same reasons.

Claim 46 contains subject matter similar to Claim 4, and thus is rejected for the same reasons.

Claim 48 contains subject matter similar to Claim 37, and thus is rejected for the same reasons.

Claim 54 contains subject matter similar to Claim 2, and thus is rejected for the same reasons.

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Claim 55 contains subject matter similar to Claim 3, and thus is rejected for the same reasons.

Claim 56 contains subject matter similar to Claim 4, and thus is rejected for the same reasons.

Claim 57 contains subject matter similar to Claims 2 and 15, and thus is rejected for the same reasons.

Claims 61 and 62 contain subject matter similar to Claims 17 and 21, and thus are rejected for the same reasons.

6. **Claims 25-28 and 39** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroya et al in view of Clawson, in further view of Kleinman et al, and yet further in view of Murata et al (*U.S. Patent: 5,987,402*).

With respect to **Claim 25**, Hiroya in view of Clawson, and further in view of Kleinman teaches the network-based natural language translation system utilizing distributed object protocol and an IDL, as applied to Claim 2. Hiroya in view of Clawson, and further in view of Kleinman does not specifically suggest the use of an asynchronous translator, however Murata recites:

An asynchronous translator for providing the client with a response to a translation request while the client is performing other actions (*user ability to receive a partial translation while viewing an original version of a document to be translated, Col. 10, Line 66- Col. 11, Line 18, and Fig. 10*).

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Hiroya, Kleinman, and Murata are analogous art because they are from a similar field of endeavor in network-based text processing applications. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Hiroya in view of Clawson, and further in view of Kleinman with the means of providing a partial translation that allows a user to access an original document while waiting for the translation to complete as taught by Murata to allow a user to analyze a partial translation before requesting a complete translation of a document (Col. 2, Lines 22-29) and determine that original and translated documents are consistent (Col. 2, Lines 58-59).

With respect to **Claims 26 and 27**, Murata further teaches determining and transmitting an in-progress translation of a selected document (*Col. 10, Line 54- Col. 11, Line 18, and Fig. 10*).

With respect to **Claim 28**, Murata teaches the determination and transmission of an in-progress translation as applied to Claims 26 and 27, while Hiroya in view of Clawson, and further in view of Kleinman teaches the network-based natural language translation system utilizing distributed object protocol and an IDL, as applied to Claim 2.

Claim 39 contains subject matter similar to Claims 26 and 27, and thus, is rejected for the same reasons.

7. **Claims 29-32 and 49** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiroya in view of Clawson, in further view of Kleinman et al, and yet further in view of Kuno et al (*U.S. Patent: 5,528,491*).

With respect to **Claims 29 and 30**, Hiroya in view of Clawson, and further in view of Kleinman teaches the network-based translation system having a translation server utilizing distributed object protocol and an IDL, as applied to Claim 2. Hiroya in view of Clawson, and in further view of Kleinman does not teach an alternate word or sentence locator, however, Kuno discloses:

Locating at least one alternate word or sentence choice in response to a request from the client (*alternate translation request, Col. 3, Lines 53-55, which can consist of alternate words and sentences, as is well known in the art and evidenced in Col. 1, Lines 9-22*).

Hiroya, Kleinman, Clawson, and Kuno are analogous art because they are from a similar field of endeavor in text processing. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Hiroya in view of Clawson, and further in view of Kleinman with the method of providing an alternate translation request comprising alternate words and sentences as taught by Kuno to allow a user to select a preferred translation format in a situation where several translation formats are available (Col. 1, Lines 9-22).

With respect to **Claims 31 and 32**, Hiroya in view of Clawson, and further in view of Kleinman teaches the network-based translation system having a translation server utilizing distributed object protocol and an IDL, as applied to Claim 2. Hiroya in view of Clawson, and further in view of Kleinman does not teach text parsing that includes sentence end determination and part-of-speech registration, however Kuno recites:

Sentence end determination (*Col. 4, Lines 5-13*) and part-of-speech registration (*Col. 5, Line 45- Col. 6, Line 7*).

Hiroya, Kleinman, Clawson, and Kuno are analogous art because they are from a similar field of endeavor in text processing. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Hiroya in view of Clawson, and further in view of Kleinman with the method of text parsing that includes sentence end determination and part-of-speech registration as taught by Kuno to increase translation accuracy by properly identifying word and sentence boundaries (*Col. 2, Lines 17-20*).

Claim 49 contains subject matter similar to Claim 29 and 30, and thus is rejected for the same reasons.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James S. Wozniak whose telephone number is (703) 305-8669 and email is James.Wozniak@uspto.gov. The examiner can normally be reached on Mondays-Fridays, 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached at (703) 305-4827. The fax/phone number for the Technology Center 2600 where this application is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the technology center receptionist whose telephone number is (703) 306-0377.

James S. Wozniak

1/11/2004



DAVID L. OMETZ
PRIMARY EXAMINER